



ICO consultation on the draft updated data sharing code of practice

Q1 Does the updated code adequately explain and advise on the new aspects of data protection legislation which are relevant to data sharing?



Yes



No

Q2 If not, please specify where improvements could be made.

Q3 Does the draft code cover the right issues about data sharing?

☐ Yes

☒ No

Q4 If no, what other issues would you like to be covered in it?

The code is very thorough but it does not seem to cover data sharing in ancillary activities eg as a charity we share or give access to personal data to third parties such as HR advisers and accountants as auditors who as professional advisers are controllers in their own right and yet are often reluctant to enter into data sharing agreements.

Q5 Does the draft code contain the right level of detail?



Yes



No

Q6 If no, in what areas should there be more detail within the draft code?

Q7 Has the draft code sufficiently addressed new areas or developments in data protection that are having an impact on your organisation's data sharing practices?

☒ Yes

☐ No

Q8 If no, please specify what areas are not being addressed, or not being addressed in enough detail.

Q9 Does the draft code provide enough clarity on good practice in data sharing?

☐ Yes

☒ No

Q10 If no, please indicate the section(s) of the draft code which could be improved, and what can be done to make the section(s) clearer.

The emphasis in the early section on the need for a lawful basis for sharing seems to be contradicted in the section on the private and 3rd sector where it states The legal framework that applies to private and third sector organisations differs from that for public sector organisations. Most private and third sector organisations do not need to identify a specific power to share data. They have a general ability to share information, provided this does not breach the data protection legislation or any other law.

Q11 Does the draft code strike the right balance between recognising the benefits of sharing data and the need to protect it?

☒ Yes

☐ No

Q12 If no, in what way does the draft code fail to strike this balance?

Q13 Does the draft code cover case studies or data sharing scenarios relevant to your organisation?

☐ Yes

☒ No

Q14 Please provide any further comments or suggestions you may have about the draft code.

Many military charities share personal data, including special category in order to find the appropriate and maximum support

Q15 To what extent do you agree that the draft code is clear and easy to understand?

- ☐ Strongly agree
- ☒ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree

Q16 Are you answering as:

- ☐ An individual acting in a private capacity (e.g. someone providing their views as a member of the public or the public)
- ☒ An individual acting in a professional capacity
- ☐ On behalf of an organisation
- ☐ Other

Q17 Please specify

DPO of the Officers' Association

Q18 Please specify

Q19 Please specify

Thank you for taking the time to share your views and experience.